

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

FRANK MORGAN,

Plaintiff,

v.

CIVIL ACTION NO. 2:18-cv-01450

LOGAN COUNTY COMMISSION,
A West Virginia county government, et al.,

Defendants.

ORDER

Pending before the Court is Defendant Barry Mynes' ("Mynes") Motion in Limine to Exclude Testimony Regarding Accusations of Other Instances of Misconduct, (ECF No. 83); Mynes' Motion in Limine to Preclude Plaintiff's Alleged Future Damages at Trial, (ECF No. 84); Defendants Kevin Conley and J.D. Tincher's (collectively "Defendants") Motion in Limine to Estop Plaintiff From Arguing Facts Inconsistent With Guilty Pleas, (ECF No. 85); Defendants' Motion in Limine to Preclude Argument and Testimony Regarding Medical Conditions and Prognosis or Future Damages, (ECF No. 88); Defendants' Motion in Limine to Exclude All Evidence Pertaining to Irrelevant Matters, (ECF No. 89); Defendants' Motion in Limine to Exclude All Non-Disclosed Witnesses and Evidence, (ECF No. 90); Plaintiff Frank Morgan's ("Plaintiff") Motion in Limine to Exclude Testimony or Evidence Concerning Plaintiff's Possible Psychosis Diagnosis at Trial, (ECF No. 86); Plaintiff's Motion in Limine to Exclude Testimony Claiming Plaintiff Was Under the Influence of Drugs, (ECF No. 87); and Plaintiff's Motion to Withdraw and Amend Proposed Jury Verdict Forms, (ECF No. 140).

For reasons detailed more fully on the record at the telephonic hearing held on July 27, 2020, and the trial held from July 28, 2020, to July 31, 2020, these motions were decided as follows: Mynes'

Motion in Limine to Exclude Testimony Regarding Accusations of Other Instances of Misconduct, (ECF No. 83), is **GRANTED IN PART AND DENIED IN PART**; Mynes' Motion in Limine to Preclude Plaintiff's Alleged Future Damages at Trial, (ECF No. 84), and Defendants' Motion in Limine to Preclude Argument and Testimony Regarding Medical Conditions and Prognosis or Future Damages, (ECF No. 88), are **GRANTED IN PART AND DENIED IN PART**; Defendants' Motion in Limine to Estop Plaintiff From Arguing Facts Inconsistent With Guilty Pleas, (ECF No. 85), is **GRANTED IN PART AND DENIED IN PART**; Defendants' Motion in Limine to Exclude All Evidence Pertaining to Irrelevant Matters, (ECF No. 89), is **GRANTED IN PART AND DENIED IN PART**; Defendants' Motion in Limine to Exclude All Non-Disclosed Witnesses and Evidence, (ECF No. 90), is **GRANTED**; Plaintiff's Motion in Limine to Exclude Testimony or Evidence Concerning Plaintiff's Possible Psychosis Diagnosis at Trial, (ECF No. 86), is **DENIED**; Plaintiff's Motion in Limine to Exclude Testimony Claiming Plaintiff Was Under the Influence of Drugs, (ECF No. 87), is **DENIED**; and Plaintiff's Motion to Amend Verdict Form, (ECF No. 140), is **DENIED AS MOOT**.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: August 3, 2020



THOMAS E. JOHNSTON, CHIEF JUDGE